



ORDINANCE NO. 5256

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING SANTA BARBARA MUNICIPAL CODE CHAPTER 22.04, ADOPTING BY REFERENCE THE UNIFORM ADMINISTRATIVE CODE 1997 EDITION); THE CALIFORNIA BUILDING CODE 2001 EDITION); THE UNIFORM HOUSING CODE 1997 EDITION); THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS 1997 EDITION); THE CALIFORNIA PLUMBING CODE 2001 EDITION); THE CALIFORNIA MECHANICAL CODE 2001 EDITION); THE CALIFORNIA ELECTRICAL CODE 2001 EDITION); APPENDIX CHAPTER 1 OF THE UNIFORM CODE FOR BUILDING CONSERVATION 1997 EDITION); ADOPTING REVISIONS TO SAID CODES; ADOPTING AND DELETING CERTAIN APPENDIX CHAPTERS OF SAID CODES.

WHEREAS, uniform construction codes are developed and published every three years by the professional organization of building official experts; and

WHEREAS, these codes are adopted by the State of California and by local communities with amendments pertinent to local conditions; and

WHEREAS, the City of Santa Barbara relies on local ground and surface water for its local water supplies; and

WHEREAS, drought conditions are common occurrences within Santa Barbara and the surrounding areas; and

WHEREAS, local topography and climate present unique fire hazard and fire abatement conditions; and

WHEREAS, local geological conditions present unique geophysical hazards; and

WHEREAS, the City Council of the City of Santa Barbara finds that such local geological, topographic and climatic conditions warrant certain amendments to the model uniform codes related to construction;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 22.04 of the Santa Barbara Municipal Code is hereby amended to read as follows:

22.04.010 Adoption of Uniform Codes by Reference.

Subject to the amendments provided for in Section 22.04.020, the following Uniform Codes and certain appendix chapters and the references therein are hereby adopted by reference and shall be known as the City of Santa Barbara Building Code:

1. The California Building Code", 2001 Edition, as based on the 1997 Uniform Building Code, including the appendix chapters thereto, except Appendix Chapter 4, Appendix Chapter 10, Appendix Chapter 11, Appendix Chapter 12 Division II, Appendix Chapter 13, Appendix Chapter 19, Appendix Chapter 21, and Appendix Chapter 23, as published by the International Conference of Building Officials.
2. The Uniform Housing Code", 1997 Edition, as published by the International Conference of Building Officials.
3. The Uniform Code for the Abatement of Dangerous Buildings", 1997 Edition, as published by the International Conference of Building Officials.
4. The California Electrical Code", 2001 Edition, as based on the 1999 National Electrical Code and as published by the National Fire Protection Association.
5. The California Plumbing Code", 2001 Edition, as based on the 1997 Uniform Plumbing Code, including the appendix chapters, except Chapter E and including the Installation Standards, as published by the International Association of Plumbing and Mechanical Officials.
6. The California Mechanical Code", 2001 Edition, as based on the 1997 Uniform Mechanical Code, including all appendix chapters, as published by the International Association of Plumbing and Mechanical Officials.
7. The Appendix Chapter 1" of the Uniform Code for Building Conservation", 1997 Edition, as published by the International Conference of Building Officials.
8. The Uniform Administrative Code", 1997 Edition, as published by the International Conference of Building Officials.

Said Codes and any standards and secondary codes adopted by reference and the amendments therein are on file and available for public inspection in the office of the City Clerk as provided for in Chapter 1, Part 1, Division 1 of Title 5 of the California Government Code.

22.04.020 Amendments to the Uniform Codes.

The Uniform Codes adopted pursuant to this Chapter are amended as set forth in Section 2 of Ordinance No. 5256.

SECTION 2. The Uniform Construction Codes adopted by reference by Municipal Code Chapter 22.04 are hereby amended as follows:

I. UNIFORM ADMINISTRATIVE CODE AMENDMENTS

The 1997 Uniform Administrative Code hereafter UAC) is hereby amended as follows:

A. Section 102.5 Maintenance is hereby deleted and replaced to read as follows:

Buildings, structures, building service equipment, and sites, existing and new, and parts thereof, including all parking facilities and equipment for persons with disabilities, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by codes and ordinances adopted by the City of Santa Barbara shall be maintained in conformance with the code, State or Federal regulation under which installed, except for re-grading, re-paving, signage and/or re-striping of disabled spaces in parking lots and structures which must be maintained to comply with current State of California Accessibility Standards as published in Title 24, Part 2, of the

California Code of Regulations. The owner or owner's designated agent shall be responsible for the maintenance. To determine compliance with this section, the Chief Building Official may cause a site or structure to be re-inspected.

- B. Section 103 Definitions is hereby amended by adding a definition which reads as follows:

Transportation Facilities essential to the occupancy of a building or structure including all curbing, ramps, paving, striping, signage, bollards, and facilities for use by the general public and persons with disabilities.

- C. Section 204 Board of Appeals is hereby amended with a new title, Building and Fire Code Board of Appeals".

- D. Section 204.1 General is hereby deleted and replaced with the following paragraph and by the addition of Subsections 204.1.1, 204.1.2, 204.1.3, 204.1.4, 204.1.5, 204.1.6, 204.1.7, and 204.1.8 to read as follows:

In order to hear and decide appeals of orders, decisions or determinations made by the Fire Chief or Building Official relative to the application and interpretations of the technical codes, there shall be and is hereby created a Building and Fire Code Board of Appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment and who are not employees of the jurisdiction. The Fire Chief or Building Official shall be an ex officio member and shall act as secretary to said Board but shall have no vote upon any matter before the Board. The Building and Fire Code Board of Appeals shall be appointed by the City Council and shall hold office at its pleasure. The Board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Fire Chief or Building Official.

204.1.1 Alternatives. The Board may consider any alternate provided that it finds that the proposed design, material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in the technical codes in suitability, strength, effectiveness, fire resistance, durability, safety, and sanitation.

204.1.2 Appointments. The City Council shall appoint individuals to an eligibility list. Appeals shall be scheduled before five members selected from the eligibility list by the Community Development Director or the Fire Chief as may be appropriate based on the subject matter.

204.1.3 Quorum. It shall take a quorum of three members to hear an appeal and majority vote of the Board convened to sustain an appeal.

204.1.4 Chairperson. The chairperson shall be selected by the convened Board. The chairperson shall maintain order and conduct the meeting in accordance with Section 204.1.7 and 204.1.8.

204.1.5 Meetings. The Board shall meet when needed to hear an appeal or when needed to transact business of the Board. Either the Chief Building Official or the Fire Chief or their designee shall act as Secretary of the Board.

204.1.6 Board Decisions. The decision of the Building and Fire Code Board of Appeals shall be final on all matters of appeals and shall become an order to the Appellant, Building Official or

Fire Chief as may be appropriate.

204.1.7 Procedures. The Chief Building Official or Fire Chief may use the procedure for "Conduct of Hearing Appeals" in accordance with Chapter 6 of the Uniform Code for the Abatement of Dangerous Buildings for appeals. The Board may elect alternate procedures by a unanimous vote of the convened Board as they may deem appropriate.

204.1.8 Procedural Rules. Appeal hearings shall be conducted substantially in accordance with the following format:

1. The Chairperson shall call the meeting to order.
2. The Chairperson shall note the Board members present for the minutes.
3. The Chairperson shall recognize the Chief Building Official or Fire Chief for presentation of the appeal. The Chief Building Official or the Fire Chief shall read his/her recommendation to the Board. This recommendation shall be the standing motion before the Board.
4. The Chairperson shall recognize the Appellant for presentation of rebuttals.
5. All witnesses must be called by either the Appellant or the Chief Building Official or the Fire Chief and may be questioned.
6. After a motion to amend, accept, or deny the standing motion has been made and seconded, the Board may entertain comments from the public.
7. The Board shall vote on the standing or amended motion.
8. The Chairperson shall adjourn the meeting at the end of business.
9. The Secretary shall prepare minutes for the record and shall serve as custodian of case records and said minutes.

- E. Section 301.1 Permits Required is hereby amended by the addition of new Subsections 301.1.1, 301.1.2, and 301.1.3 to read as follows:

301.1.1 Paving and Striping. Building permits shall be required for all paving, re-paving, striping, re-striping, signage, and re-signage of parking spaces in parking lots and structures.

301.1.2 Building Relocation Permits. Permits shall be required to relocate or move any building, portion of a building or structure, into or within the City of Santa Barbara and shall be subject to the following conditions:

1. Relocated buildings or structures shall comply with all current codes as adopted by the City of Santa Barbara for new buildings. Note: Relocated historical buildings shall comply with Section 102.8-Historic Buildings, of the Uniform Administrative Code, as adopted.
2. A licensed architect or civil or structural engineer shall make a pre-move inspection. This inspection shall identify items necessary for code compliance and a report of findings shall be submitted to the Chief Building Official a minimum of ten (10) days prior to the moving of the structure.

3. The Chief Building Official shall cause notice to be posted for ten (10) days on the building or structure to be moved and at the relocation site. The relocation permit shall not be issued until the expiration of the posting period.
4. Prior to issuance of the permit, the applicant shall have all gas, electric, and water meters removed by the appropriate agencies. The applicant shall also submit a Demolition/Relocation Utility Clearance form signed by utility company representatives and the Santa Barbara Air Pollution Control District.
5. Once the relocation permit is issued and the structure or building relocated, the applicant shall schedule an inspection with the Division of Building and Safety within three (3) days in order to verify that the structure is secured and the site is protected by the installation of an approved fence. An approved fence shall meet the following requirements:
 - a) Any access gates through the enclosure shall be self-closing with a self-latching device placed no lower than 60 inches above the ground. Where the release mechanism of the self-latching device is located less than 60 inches above the ground, i) the release mechanism shall be located on the inside of the barrier and ii) the gate and the barrier shall have no opening greater than 1/2 inch within 18 inches of the release mechanism
 - b) A minimum height of 60 inches.
 - c) A maximum vertical clearance from the ground to the bottom of the enclosure of 2 inches.
 - d) Gaps or voids, if any, do not allow passage of a sphere equal to or greater than 4 inches in diameter.
 - e) An outside surface free of protrusions, cavities, or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.

301.1.3 Demolition Permits. Permits shall be required to demolish any building, portion of a building, or structure within the City of Santa Barbara and shall be subject to the following conditions:

1. The applicant shall have all gas, electric, and water meters removed by the appropriate utility company, except such services that are approved for required use in connection with the work of demolition. The applicant shall also have a Demolition/Relocation Utility Clearance form signed by the utility company representatives and the Santa Barbara Air Pollution Control District prior to the permit being issued.

Exception: Portions of buildings which will not be demolished where the electrical, gas, and water services and meters are not affected.

2. All resulting building debris, trash, junk, vegetation, dead organic matter, rodent harborage, or combustible material that constitutes a threat to life, health, or property, or is detrimental to the public welfare or which may reduce adjacent property value shall be removed from the site within thirty (30) days after the demolition of the structure.

F. Section 301.2.1 Building Permits is hereby amended to read as follows:

301.2.1 Building Permits Exempted Work). A building permit shall not be required for the following:

1. Detached residential accessory structures used as tool and storage sheds, play houses, portable and fixed playground equipment, bicycle or skateboard ramps and similar uses, provided the floor area does not exceed 120 square feet and the height does not exceed ten (10) feet at the highest point, and provided the structure does not encroach into required setbacks or required open yards, and does not obstruct required parking, and is not served by any utilities. The combined square footage of exempt accessory structures may not exceed 200 square feet on any single parcel.
2. Residential fences and walls not over three and one half (3 1/2) feet in height, as measured from the lowest adjacent grade within five (5) feet of the fence or wall, that do not adversely affect drainage or cause erosion.
3. Freestanding or movable cases, counters, and interior partitions not over 5 feet 9 inches in height.
4. Residential retaining walls which are not over four (4) feet in height as measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids, and the wall does not adversely affect drainage or cause erosion.
5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed two to one (2:1).
6. Uncovered residential platforms, decks, porches, walks, and similar structures not more than eighteen (18) inches above grade and not over any basement or story below.
7. Interior painting, papering, and similar finish work.
8. Temporary motion picture, television, and theater stage sets and scenery.
9. Ground mounted radio, television and other masts or antenna or dish shaped communication reception or transmitting structures less than three (3) feet in diameter, which do not extend more than fifteen (15) feet above grade and are not served by electrical circuits regulated under the National Electrical Code (NEC). Light- weight roof-mounted radio, television, and other masts or antenna or dish shaped communication reception or transmitting structures less than two (2) feet in diameter, which do not extend more than fifteen (15) feet above the roof, are not served by electrical circuits regulated under the NEC, and which are not subject to the Architectural Board of Review.
10. Permit applications shall be submitted for other miscellaneous and minor work; however, work which does not exceed \$300 in valuation may be exempted by the Chief Building Official from permits and inspections.

Unless otherwise exempted by this code, separate plumbing, electrical, and mechanical permits shall be required for the above exempted items. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other applicable laws or ordinances.

- G. Section 303.1 Issuance is hereby amended by addition of the following paragraphs as follows:

All work authorized by building permit for other than R-3, U-1 or U-2 occupancies shall be issued to an appropriate contractor licensed in accordance with the provisions of California State Law.

- H. Section 304.2 Permit Fees is amended by deletion of the first paragraph and addition of a new first sentence as follows:

304.2 Permit Fees. The fee for each permit shall be established by resolution of the City Council of the City of Santa Barbara.

1. Section 304.3 Plan review Fees is hereby amended to read as follows:

304.3 Plan review Fees. The fee for plan review shall be established by resolution of the City Council of the City of Santa Barbara. Plan review fees shall be paid at the time of plan submittal.

- J. Section 306.1 General is hereby amended to read as follows:

306.1 General. In addition to the inspection required by Section 305, the owner shall employ a special inspector in accordance with a written agreement approved as to form and content by the Chief Building Official during construction on the following types of works:

- K. Section 307 Structural Observation is hereby amended by addition of a paragraph as follows:

Such written statements of the engineer or architect shall be received by the Chief Building Official, a full City of Santa Barbara work day before the work may be concealed. Said structural observations shall not authorize work to continue or to be concealed, until inspections required by Section 305.5 have been conducted and approved by a City Building Inspector.

- L. Section 309.1 Use or Occupancy is hereby amended by the addition of the following paragraph:

Where no Certificate of Occupancy is posted or exists, or to change the occupancy, the owner shall apply for a Certificate of Occupancy in accordance with the application provisions of Section 302.1 before occupying.

II. CALIFORNIA BUILDING CODE AMENDMENTS

The 2001 California Building Code hereafter CBC) is hereby amended as follows:

- A. Section 105 Board of Appeals is hereby deleted and replaced by Section 204 of the 1997 UAC as amended above.
- B. Section 106 Permits is hereby amended by the deletion of Sections 106.1 and 106.2, and replaced with Section 301 of the 1997 UAC as amended above.
- C. Section 107 Fees is hereby amended by the deletion of Sections 107.2 and 107.3 and replaced with Section 304 of the 1997 UAC as amended above.

- D. Section 1503 Roofing Requirements is hereby amended by the replacement of the first paragraph to read as follows:

The roof covering or roofing assembly of any new building or the re-roofing of any existing building, regardless of type or occupancy classification, shall be no less than Class B, except that Group H, Division 1 and Group I occupancies shall be Class A. Treated or untreated wood shakes or shingles shall not be permitted, except on existing structures which are constructed with shake or shingle roofs where less than 20 % of the existing roof is being replaced within a two (2) year period, provided such replacement roofing is fire retardant treated wood shakes or shingles.

Exception: In the High Fire Hazard District roof coverings shall be in accordance with Appendix Chapter 37.

- E. Section 2508 Exterior Plaster is hereby amended by addition of new Subsection 2508.9 to read as follows:

2508.9 Water Proofing. Exterior plaster surfaces within five (5) feet from grade on commercial buildings shall be coated with water repellant sealer or an approved equivalent and applied according to the manufacturer's directions. Such sealer is not required if a building is coated with vinyl or acrylic paint or their equivalent as specified above. The initial application of such paint or sealer shall be completed prior to introduction of plantings into the adjacent area.

- F. The Appendix Chapter 36 SWIMMING POOLS is hereby created to read as follows:

Appendix Chapter 36 SWIMMING POOLS

SECTION 3601 GENERAL

The purpose of this Chapter is to provide minimum standards to protect life, limb, health, property, and public welfare by regulating and controlling the design, construction, quality, materials, and fencing of swimming pools, spas, hot tubs and any other body of water created by artificial means.

SECTION 3602 SCOPE

The provisions of this Chapter shall apply to swimming pools, spas, hot tubs, and any body of water created by artificial means, any portion of which is capable of containing water deeper than 18 inches. Interior plumbing fixtures such as bath tubs are exempt.

SECTION 3603 DEFINITIONS

As used in this chapter the following terms shall have the following meanings:

Swimming pool" or pool" means any structure intended for swimming or recreational bathing that contains water over 18 inches deep. Swimming pool" includes in-ground and above-ground structures and includes, but is not limited to, hot tubs, spas, portable spas, non-portable wading pools, and artificially created bodies of water over 18 inches deep designed

as ponds or landscape features.

Enclosure" means a fence, wall, building wall or combination thereof that completely surrounds the pool and obstructs access to the pool.

Approved safety pool cover" means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM), in compliance with standard F1346-91.

Exit alarms" means devices that immediately produce a continuous alarm sound capable of being heard throughout the house during normal household activities for a minimum of 30 seconds after the door is opened or is left ajar. Exit alarms may be battery operated or may be connected to the electrical wiring of the building.

SECTION 3604- FENCE PERMITS

Where new fencing is required because of a pool installation, the permit for that fencing shall be obtained prior to, or concurrently with, the pool permit. No water shall be placed in any swimming pool prior to the installation of all safeguards specified by this Chapter and the approval of all associated electrical and mechanical work.

SECTION 3605 ENCLOSURE

An enclosure shall have all of the following characteristics:

- a) Any access gates through the enclosure open away from the swimming pool, and are self-closing with a self-latching device placed no lower than 60 inches above the ground. Where the release mechanism of the self-latching device is located less than 60 inches above the ground, i) the release mechanism shall be located on the pool side of the barrier and ii) the gate and the barrier shall have no opening greater than $\frac{1}{16}$ inch within 18 inches of the release mechanism
- b) A minimum height of 60 inches.
- c) A maximum vertical clearance from the ground to the bottom of the enclosure of 2 inches.
- d) Gaps or voids, if any, do not allow passage of a sphere equal to or greater than 4 inches in diameter.
- e) An outside surface free of protrusions, cavities, or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.

SECTION 3606 SAFETY FEATURES

Except as provided in Section 3607, swimming pools shall be provided with an enclosure as described in Section 3605. Where a wall of a dwelling unit serves as part of the enclosure and contains door openings between the dwelling unit and the swimming pool that provide direct

access to the pool, at least one of the following safety features shall be provided:

- a) The pool shall be equipped with an approved safety pool cover.
- b) The residence shall be equipped with exit alarms on those doors providing direct access to the pool.
- c) All doors providing direct access from the home to the swimming pool shall be equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor.
- d) Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the devices set forth in subdivisions a) to c), inclusive, as determined by the Chief Building Official of the jurisdiction issuing the applicable building permit.

SECTION 3607 INAPPLICABILITY

The requirements of Sections 3605 and 3606 shall not apply to any of the following:

- a) Hot tubs or spas with locking safety covers that comply with the American Society for Testing Materials-Emergency Performance Specification ASTM- ES 13-89).
- b) Natural or man-made ponds, lakes or marinas used primarily for recreation.
- c) Reservoirs used primarily for water conservation or irrigation shall not be deemed to be a swimming pool or body of water requiring fencing by this section.
- d) Public swimming pools that are regulated by Santa Barbara County Environmental Health Department.

SECTION 3608 CLARITY OF WATER AND CLEANLINESS OF POOL

The recirculation and purification system shall be operated and maintained so as to keep the pool water clean and clear. Floating scum and debris shall not be allowed to accumulate in the pool. The sides and bottom of pools, and other surfaces, shall be kept free of algae.

SECTION 3609 DISPOSAL OF WATER

Surface water All portions of the lot shall drain to the street or through an approved drainage course or device. When a pool deck extends to within 3 feet of an adjacent property, means shall be provided to conduct splash water to a satisfactory point of disposal.

Pool and Spa Water- Discharge and drainage water from pools and spas shall drain into the community sewer system.

SECTION 3610 HYDROSTATIC UPLIFT

Any pool to be constructed in an area in which residual ground water creates a hydrostatic head against the pool structure shall have a hydrostatic relief valve.

SECTION 3611 LIGHTING

All lighting of the pool area shall be so hooded that the light does not shine towards abutting private properties and public right-of-ways.

SECTION 3612 INLETS AND OUTLETS

Facilities for introducing water to the pool shall be provided and arranged to facilitate uniform circulation of the water and the maintenance of a uniform disinfectant residual throughout the pool. Outlets shall have a protective cover to prevent insertion of hair, arms, hands, or legs. Such covers shall be securely fastened in such a manner that removal necessitates the use of a special tool.

Recirculation outlets and inlets shall also be protected to prevent the suction of the pump from restraining a body underwater.

SECTION 3613 BACKFLOW PREVENTION

Minimum protection of potable water system used for filling pools and spas shall be an approved testable Pressure Vacuum Breaker installed at least 12 inches above the overflow edge. Any other means of filling a pool or spa will require a one inch minimum Air Gap, Double Check Valve Assembly, or a Reduced Pressure Principle Backflow Prevention Device. Each such device, excepting air gap, shall be tested and approved by a certified backflow tester prior to final inspection approval.

- G. The Appendix Chapter 37 HIGH FIRE HAZARD DISTRICTS is hereby created to read as follows:

Appendix Chapter 37 HIGH FIRE HAZARD DISTRICTS

SECTION 3701 NEED

Certain areas of the City which, because of their proximity to unmanaged, dense vegetation or remote location are judged by the Chief of the Fire Department to be a serious fire hazard and necessitate special fire resistive building requirements in order to adequately protect life and property.

SECTION 3702 BOUNDARIES

Since the density, condition, and boundaries of highly fire susceptible vegetation are subject to change, it shall be the responsibility of the Fire Chief to maintain the Official Fire District Map with respect to the boundaries of the High Fire Hazard District in order to reflect the current condition and extent of such vegetation. The Fire Chief shall review the boundaries of the High Fire Hazard District as necessary and at least annually, and shall adjust the boundaries thereof as brush and vegetation conditions warrant. There shall be a city map prepared and maintained by the City Fire Chief with the High Fire Hazard District boundaries shown. This map shall be on file in the City Clerk's office and the office of the Chief Building Official.

SECTION 3703 CONSTRUCTION REQUIREMENTS

Buildings or structures erected, constructed, moved within, or moved into the High Fire Hazard District shall comply with the provisions of this section and the Building Code.

Exceptions:

1. Detached accessory buildings and attached or detached patio and carport covers which are constructed entirely of non-combustible materials.
2. Decks constructed with a skirt enclosure constructed of materials which are the same as those used for exterior wall protection.
3. Patio covers, garden pergolas or open lattice shade covers constructed of minimum two 2) inch thick nominal) materials and not exceeding 200 square feet.

3703.1 Exterior Walls. Exterior walls shall be constructed as follows:

1. 7/8" minimum thick stucco or;
2. Vz' minimum gypsum board under minimum 3^" wood drop siding or 3/8" exterior grade plywood.
3. Treated or untreated wood shingle or shake siding shall not be permitted, except on existing buildings where less than 20% of the existing shake or shingle area is being replaced within a two 2) year period due to maintenance, provided such replacement is fire retardant.
4. All exterior glass shall be double glazed, tempered, or laminated unless the Chief Building Official or Fire Chief approve a limited application or acceptable alternatives.

3703.2 Roof Coverings. Roof coverings on new buildings shall be class A non-combustible in accordance with adopted UBC Standards or otherwise as may be approved by the Chief Building Official. Roof coverings shall be class A or noncombustible fire retardant materials on existing buildings and additions or repairs to existing buildings. Treated or untreated wood shakes or shingles shall not be permitted, except on existing structures which are constructed with shake or shingle roofs where less than 20% of the existing roof is being replaced within a two 2) year period, provided such replacement roofing is fire retardant treated wood shakes or shingles.

3703.3 Roof eaves, decks and other horizontal projections.

3703.3.1 Roof eave minimum requirements: 7/8" thick stucco or V2" gypsum board under 3/8" minimum finished wood or exposed two 2) inch thick nominal) tongue and groove decking over minimum 3x6 rafters.

3703.3.2 Structural support beams and posts minimum requirements: 4x6 supporting roof loads, 6x6 supporting floor and deck loads, joists supporting deck floors may be a minimum of two 2) inch thick nominal) materials.

Exceptions:

2.1 Balconies and decks constructed entirely of noncombustible materials.

2.2 Balconies and decks more than eight (8) feet above grade, not attached to the ground and where the width is not more than four (4) feet and the total area is not more than 40 square feet.

3703.3.3 Balcony and deck flooring shall be a minimum of two (2) inch thick nominal material with spacing no greater than 1/4". Deck flooring less than three (3) feet above grade shall have a 1" thick solid skirt enclosure as a draft stop.

3703.3.4 Handrails and guardrails shall be a minimum of two (2) inch thick nominal material or non-combustible material.

3703.4 Fire extinguishing systems. Fire extinguishing systems shall not be substituted for the fire retardant roof or vertical and horizontal projection requirements.

3703.5 Ventilation openings and louvers. Ventilation openings and louvers are prohibited in soffits, between rafters, or at any other overhanging areas measured three (3) feet vertically and horizontally from any window or door opening.

3703.6 Spark Arresters. Spark arresters shall be provided on chimneys serving any fireplace, barbecue, incinerator, or any heating appliance in which solid or liquid fuel is used, and shall be made of heavy gauge wire mesh or other noncombustible material with opening not to exceed 1/8" in any dimension.

3703.7 Alternatives or waivers. Alternatives or waivers from the High Fire Hazard District requirements shall be submitted to and approved by the Chief Building Official and the Fire Chief. Alternative methods may also be appealed to the Building and Fire Code Board of Appeals.

III. CALIFORNIA ELECTRICAL CODE AMENDMENTS

The Uniform Administrative Code Provisions for the 2001 California Electrical Code hereafter CEC) are hereby amended as follows:

A. Section 203 Board of Appeals is hereby deleted and replaced with Section 204 of the 1997 UAC as amended above.

B. Section 304.1 Fees is hereby amended to read as follows:

304.1 Permit Fees. The fee for each permit shall be established by resolution of the City Council of the City of Santa Barbara.

IV. CALIFORNIA PLUMBING CODE AMENDMENTS

The 2001 California Plumbing Code hereafter CPC), is hereby amended as follows:

A. Section 103.4.1 Permit Fees is hereby amended to read as follows:

103.4.1 Permit Fees. The fee for each permit shall be established by resolution of the City Council of the City of Santa Barbara.

B. Section 413.0 Minimum Number of Fixtures Required is hereby amended to read as follows:

413.1 Fixture Count. Plumbing fixtures shall be provided for the type of building occupancy and in the minimum number shown in Table 4-1

Exception: Within existing buildings the Chief Building Official may make alternate consideration findings for partial compliance on the basis of the following criteria:

1. The cost of compliance is in excess of 15% of all cost of construction as proposed or incurred within one 1) year before or after the work proposed; and
2. The proposed use does not intensify the occupant load by more than 15% of the existing occupant load; and
3. Water closets are not reduced by more than one fixture from that required under CPC Table 4-1 criteria for the use proposed; and
4. Other physical constraints of existing buildings and occupancies relative to disabled access regulations exist.

C. Section 421.0 Water Saving Devices is hereby created to read as follow:

421.0 Water Saving Devices

421.1 Plumbing Fixtures Standards.

All water piping, fixtures, fittings and other plumbing constructed, installed, extended or altered after the effective date of this ordinance shall comply with these standards.

421.2 All plumbing, water piping and other water using fixtures shall conform to the following maximum flow rate limitations:

1. Tank and flushometer type toilets designed to flush using a maximum of one and six tenths 1.6) gallons shall be used.
2. Urinals designed to flush using a maximum of one and six tenths 1.6) gallons shall be used.
3. Shower heads designed to limit flow to a maximum of two 2.0) gallons per minute shall be used.

4. Residential sink and lavatory faucets equipped with aerators and designed to limit flow to a maximum of two (2.0) gallons per minute shall be used.
5. Non-residential lavatory faucets equipped with aerators and automatic shut-off and designed to limit flow to a maximum of two and three quarters (2.75) gallons per minute shall be used.

421.3 Vehicle Washes.

All vehicle wash facilities shall have water recycling systems approved by the Chief Building Official. All hoses, pipes and faucets designed for manual application of water to vehicles at such facilities shall be equipped with a positive shut-off valve designed to interrupt the flow of water in the absence of operator applied pressure.

421.4 Water Meters Required.

1. Group R Occupancies. Each dwelling unit, including but not limited to apartments units, shall be served by separate City water meter. Except in projects of less than five (5) dwelling units, such meter shall serve only uses within the dwelling unit and other uses shall be served by an additional separate City water meter.
2. Occupancies Other Than Group R. All occupancies other than Group R may be served by a single meter, except that no such meter shall also serve any Group R occupancy.

421.5 Fountains.

All fountains and other decorative bodies of water shall be equipped with a recirculation system and shall be designed to operate without a continuous supply of water.

Exceptions: The Chief Building Official, upon consultation with the Public Works Director, may grant exceptions to any of the foregoing requirements, with or without conditions, for any of the following reasons:

1. In order to comply with applicable federal, state, or local health, safety, or sanitation laws, ordinances, rules, or regulations;
2. Where an applicant for a plumbing permit has an alternate method of operation which will result in substantially the same water savings as the required device, and which is deemed by the Chief Building Official to be safe, practical, durable, and feasible;
3. In cases of emergency;
4. Where devices meeting the required standards are unavailable or would not perform as designed, provided that the foregoing is certified in writing by a licensed engineer;
5. Where the Chief Building Official determines that an exception should be made for the purpose of preserving health and safety; or
6. Such other water saving devices as the Chief Building Official shall determine meet the required standards, are generally available at reasonable prices, and are likely to result in substantial saving of water.

G. Section 713.0 Sewer Required is hereby amended by addition of a second paragraph to 713.2 to read as follows:

Section 713.2 Approved private systems may be used until a public system is available. Upon written notice by the Chief Building Official to the record owner of title, such private systems shall be abandoned in accordance with the provisions of Sec. 722.0 of this code and permits to connect to the public system must be secured.

V. CALIFORNIA MECHANICAL CODE AMENDMENTS

The 2001 California Mechanical Code hereafter CMC), is hereby amended as follows:

A. Section 110 Board of Appeals is hereby deleted and replaced by Section 204 of the 1997 UAC as amended above.

B. Section 115.2 Permit Fees is hereby amended to read as follows:

115.2 Permit fees. The fee for each permit shall be established by resolution of the City Council of the City of Santa Barbara.

VI. UNIFORM CODE FOR BUILDING CONSERVATION AMENDMENTS

The 1997 Uniform Code for Building Conservation hereafter UCBC), Appendix Chapter One, is amended as follows:

A. Section A102.1 and A102.2 are hereby deleted.

VII. UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

The 1997 Uniform Code For The Abatement Of Dangerous Buildings hereafter UCADB), is hereby amended as follows:

A. Section 205 Board of Appeals is hereby deleted and replaced by Section 204 of the 1997UAC as amended above.

B. Section 401.2 Notice and Order is hereby amended with the addition of item iii) to subsection 4 and the replacement of subsection 5 to read as follows:

4. and iii) will refer the case to the City Attorney for the initiation of appropriate legal action for abatement and appropriate civil or criminal penalties."

5. Statements advising that any person having any record title or legal interest in the building may, at the discretion of the building official, appeal from the notice and order to the Building and Fire Code Board of Appeals provided the appeal is made in writing as provided in this code, and filed with the building official within 10 days from the date of service of such notice and order.

VIII. UNIFORM HOUSING CODE

The 1997 Uniform Housing Code hereafter UHC) is hereby amended as follows:

- A. Section 203 Board of Appeals is hereby deleted and replaced by Section 204 of the 1997 UAC as amended above.
- B. Section 1001.11 Hazardous or Unsanitary Premises. The accumulation of weeds, vegetation, junk, dead organic matter, debris, inoperable vehicles, unused household appliances, unused scrap materials garbage, offal, rat harborages, stagnant water, combustible materials and similar materials including combinations thereof) or property conditions whether occurring within the interior of a premises or within the exterior or open yard areas) on a premises particularly when visible from a street, sidewalk or alleyway) constitutes fire, health or safety hazards and a public nuisance which may be abated by the City's Chief Building Official in accordance with the procedures specified in Chapter 11 of this Code or by an immediate referral to the City Attorney for the initiation of an appropriate legal action for abatement of the premises and for the imposition of appropriate civil or criminal penalties.
- C. Section 1101.2 Notice and Order is hereby amended with the addition of item iii) to subsection 4 and the replacement of subsection 5 to read as follows:
 - 4. and iii) will refer the case to the City Attorney for the initiation of an appropriate legal action for abatement and appropriate civil or criminal penalties.
 - 5. Statements advising that any person having any record title or legal interest in the building may, at the discretion of the building official, appeal from the notice and order to the Building and Fire Code Board of Appeals provided the appeal is made in writing as provided in this code, and filed with the building official within 10 days from the date of service of such notice and order.

SECTION 3: These amendments to the uniform codes adopted by the State of California are adopted by the City of Santa Barbara in consideration of the local special climatic, topographic, and geologic conditions in the Santa Barbara area.

SECTION 4: Whenever in this Ordinance or in any of the codes adopted by reference hereby, another code or publication of standards or of rules or regulations is referred to, such reference shall incorporate and adopt by reference such other codes, standards or rules or regulations as part of this ordinance. A copy of said primary and secondary codes are on file and shall be maintained for public inspection by the Chief Building Official as provided in Title 5, Division 1, Part 1, Chapter 1 of the California Government⁸⁰ Code while this Ordinance is in force.